3. (Withdrawn) The method of claim 1, wherein the cells are endothelial cells.

4. (Withdrawn) A method of stimulating prostacyclin formation in cells, which method comprises contacting said cells with an effective amount of a ester containing at least one conjugated linoleic acid.

5. (Withdrawn) The method of claim 4, wherein said at least one conjugated linoleic acid is selected from the group consisting of 10,12-octadecadienoic acid and 9,11-octadecadienoic acid and mixtures thereof.

6. (Withdrawn) A method of stimulating prostacyclin formation in cells, which method comprises contacting said cells with an effective amount of a lipid containing at least one conjugated linoleic acid.

7. (Withdrawn) The method of claim 6, wherein said at least one conjugated linoleic acid is selected from the group consisting of 10,12-octadecadienoic acid and 9,11-octadecadienoic acid and mixtures thereof.

8. (Withdrawn) The method of claim 6 wherein the lipid is a phospholipid.

9. (Withdrawn) The method of claim 6 wherein the lipid is selected from the group consisting of phosphatidylcholine, phosphatidylethanolamine, phosphatidylinositol, phosphatidylserine, cardiolipin and sphingomyelin.

10. (Withdrawn) The method of claim 6 wherein the conjugated linoleic acid is 9Z, 11Z conjugated linoleic acid.

11. (Withdrawn) A method of stimulating prostacyclin formation in a subject, which method comprises administering to said subject an effective amount of a ester containing at least one conjugated linoleic acid.

12. (Withdrawn) The method of claim 11, wherein said at least one conjugated linoleic acid is selected from the group consisting of 10,12-octadecadienoic acid and 9,11-octadecadienoic acid and mixtures thereof.

13. (Withdrawn) The method of claim 11 wherein the ester is a lipid.

14. (Withdrawn) The method of claim 13 wherein the lipid is a phospholipid.

15. (Withdrawn) The method of claim 13 wherein the lipid is selected from the group consisting of phosphatidylcholine, phosphatidylethanolamine, phosphatidylinositol, phosphatidylserine, cardiolipin and sphingomyelin.

16. (Withdrawn) The method of claim 11 wherein the conjugated linoleic acid is 9Z,11Z conjugated linoleic acid.

17. (Withdrawn) A food composition comprising a food and an additive added to the food, wherein the additive comprises at least one ester containing at least one conjugated linoleic acid, the ester being present in an amount sufficient to assist in stimulating prostacyclin formation in a subject consuming the food composition.

18. (Withdrawn) The method of claim 17, wherein said at least one conjugated linoleic acid is selected from the group consisting of 10,12-octadecadienoic acid and 9,11-octadecadienoic acid and mixtures thereof.

19. (Withdrawn) The method of claim 17 wherein the ester is a lipid.

20. (Withdrawn) The method of claim 19 wherein the lipid is a phospholipid.

21. (Withdrawn) The method of claim 19 wherein the lipid is selected from the group consisting of phosphatidylcholine, phosphatidylethanolamine, phosphatidylinositol, phosphatidylserine, cardiolipin and sphingomyelin.

22. (Withdrawn) The method of claim 17 wherein the conjugated linoleic acid is 9Z,11Z conjugated linoleic acid.

23. (Currently amended) A pharmaceutical composition in tablet or capsule form ~~for use in stimulating prostacyclin formation~~ which comprises, as the active component, an effective amount of a ~~at least one ester containing at least one~~ conjugated linoleic acid ester, together with a pharmaceutically acceptable carrier, wherein the conjugated linoleic acid is selected from 9Z,11Z-octadecadienoic acid and 10E,12Z-octadecadienoic acid, and wherein the conjugated linoleic acid is esterified into a lipid selected from the group consisting essentially of phosphatidylcholine, phosphatidylethanolamine, phosphatidylinositol, phosphatidylserine, cardiolipin and sphingomyelin.

24. (Cancelled) The method of claim 23, wherein said at least one conjugated linoleic acid is selected from the group consisting of 10,12-octadecadienoic acid and 9,11-octadecadienoic acid and mixtures thereof.

25. (Cancelled) The method of claim 23 wherein the ester is a lipid.

26. (Cancelled) The method of claim 25 wherein the lipid is a phospholipid.

27. (Cancelled) The method of claim 23 wherein the conjugated linoleic acid is 9Z, 11Z conjugated linoleic acid.

28. (Cancelled) The method of claim 25 wherein the lipid is selected from the group consisting of phosphatidylcholine, phosphatidylethanolamine, phosphatidylinositol, phosphatidylserine, cardiolipin and sphingomyelin.

29. (Withdrawn) A method of stimulating thromboxane formation in cells, which method comprises contacting said cells with 9Z,11Z octadecadienoic acid under conditions wherein the 9Z,11Z octadecadienoic acid becomes esterified inside the cells to form a lipid containing 9Z,11Z octadecadienoic acid.

30. (Withdrawn) The method of claim 29 wherein the cells are platelets.

31. (Withdrawn) A method of stimulating thromboxane formation in cells, which method comprises contacting said cells with an effective amount of an ester of 9Z,11Z octadecadienoic acid.

32. (Withdrawn) The method of claim 31 wherein the ester is a lipid is selected from the group consisting of phosphatidylcholine, phosphatidylethanolamine, phosphatidylinositol, phosphatidylserine, cardiolipin and sphingomyelin.

33. (Withdrawn - currently amended) A method of stimulating thomboxane formation in a subject, which method comprises administering to said subject an effective amount of an ester of 9Z,11Z octadecadienoic acid.

34. (Withdrawn) The method of claim 33 wherein the ester is a lipid is selected from the group consisting of phosphatidylcholine, phosphatidylethanolamine, phosphatidylinositol, phosphatidylserine, cardiolipin and sphingomyelin.

35. (Withdrawn) A food composition comprising a food and an additive, the additive comprising an ester of 9Z,11Z octadecadienoic acid, the ester being present in an amount sufficient to assist in stimulating thomboxane formation in a subject consuming the food composition.

36. (Withdrawn) A pharmaceutical composition in tablet or capsule form for use in stimulating thromboxane formation which comprises, as the active component, an effective amount of an ester of 9Z, 11Z octadecadienoic acid, together with a pharmaceutically acceptable carrier.

37. (Withdrawn) A method of stimulating a release of arachidonic acid in cells, which method comprises contacting said cells with 9Z, 11Z octadecadienoic acid under conditions wherein the 9Z, 11Z octadecadienoic acid becomes esterified inside the cells to form a lipid containing 9Z, 11Z octadecadienoic acid.

38. (Withdrawn) The method of claim 37 wherein the cells are platelets or endothelial cells.

39. (Withdrawn) A method of stimulating a release of arachidonic acid in cells, which method comprises contacting said cells with an effective amount of an ester of 9Z, 11Z octadecadienoic acid.

40. (Withdrawn) The method of claim 39 wherein the ester is a lipid is selected from the group consisting of phosphatidylcholine, phosphatidylethanolamine, phosphatidylinositol, phosphatidylserine, cardiolipin and sphingomyelin.

41. (Withdrawn - currently amended) A method of stimulating a release of arachidonic acid in a subject, which method comprises administering to said subject an effective amount of an ester of 9Z, 11Z octadecadienoic acid.

42. (Withdrawn) The method of claim 41 wherein the ester is a lipid is selected from the group consisting of phosphatidylcholine, phosphatidylethanolamine, phosphatidylinositol, phosphatidylserine, cardiolipin and sphingomyelin.

43. (Withdrawn) A food composition comprising a food and an additive, the additive added thereto, the additive comprising an ester of 9Z, 11Z octadecadienoic acid, the ester being present in an amount sufficient to assist in

stimulating a release of arachidonic acid in a subject consuming the food composition.

44. (Withdrawn) A pharmaceutical composition in tablet or capsule form for use in stimulating a release of arachidonic acid which comprises, as the active component, an effective amount of an ester of 9Z, 11Z octadecadienoic acid, together with a pharmaceutically acceptable carrier.

45. (New) The pharmaceutical composition of claim 23 formulated to have from about 0.25 grams to about 0.5 grams of CLA ester as a daily dose per kg of mammal being treated.

46. (New) A method of stimulating release of arachidonic acid in a subject, which method comprises administering to said subject an effective amount of the pharmaceutical composition of claim 23, wherein said administering is sufficient to effect a release of arachidonic acid by an amount which is greater by a factor of about 2 to about 5 than an amount released from a control composition.

47. (New) A method of stimulating thomboxane formation in a subject, which method comprises administering to said subject an effective amount of the pharmaceutical composition of claim 23, wherein said administering is sufficient to stimulate production of thromboxane A2 by an amount which is greater by a factor of about 2 to about 4 than an amount released from a control composition..

48. (New) A method of stimulating prostacyclin formation in a subject, which method comprises administering to said subject an effective amount of the pharmaceutical composition of claim 23, wherein said administering is sufficient to stimulate prostacyclin formation by an amount which is greater by a factor of about 8 than an amount released from a control composition.

Remarks

Upon entry of this Amendment, claims 23, 45-48 will be pending. Claims 1-22 and 29-44 have been withdrawn by the Examiner. Claims 24-28 has been cancelled without prejudice or disclaimer. Applicants reserve the right to prosecute the subject matter of the withdrawn and cancelled claims in a

continuation, continuation-in-part or divisional application. Applicants have added new claims 45-48 to more clearly define the scope of protection being sought. Support for the amendments can be found throughout the specification, including the original claims, as filed, for example, increase of arachidonic acid release, stimulation of thromboxane production, and stimulating prostacyclin formation is found within the original claims and the specific amount of increase at page 4 and throughout the Examples; dosage at page 7.

Election of species

The Examiner is thanked for pointing out the claim wording. Applicants have made efforts herein to correct claim 23 and have added new properly joined method claims 45-48. Since many of the limitations have been added to claim 23, re-writing claims 24-28 has become a moot issue.

35 USC 112

Applicants thank the Examiner for her efforts and request that the Examiner contact the undersigned attorney of record should any further claim amendments be necessary to place this application into condition for allowance.

35 USC 102(b)

Applicants have significantly amended the claims to further define the invention over the art of record. In particular, neither the '356 nor the '761 patent disclose such an unexpected increase in the results from the selection of the specific isomer 9Z,11Z, which has been added as a limitation to the claims. Further, '356 does not appear to be a pharmaceutical patent, neither the '356 nor the '761 point out anything special about the "9cis-11cis" selection. In fact, a close review appears to show that the '761 patent actually teaches away from the "cis-cis" and instead focuses on the "cis-trans". Given the limitations now in the claims, applicants believe that the issue of novelty no longer applies and request the Examiner to reconsider and withdraw the rejection.

35 USC 102(e)

Applicants limitations concerning "9cis-11cis" are relevant in addressing this rejection, and since neither the '761 nor the 486 teach the selection of the

specific isomers claimed herein. Example 3 doesn't show that 9Z,11Z is encompassed by the scope of the claimed invention in '486; it shows what happens without urea fractionation. Further, column 9 of the 486 similar to the '761 patent, teaches away from invention as currently claimed. Accordingly, applicant request reconsideration and withdrawal of this rejection.

35 USC 103

Although the art is close in this field, by limiting the claims to the specific isomers and by pointing out and claiming the unexpected results, the rejections under 103 are believed to be addressed for both the method claims and for the composition claim. However, if the Examiner wishes to discuss this issue or make any suggestions, the undersigned attorney requests a call to expedite prosecution and so this application can move to allowance.

Conclusion

All of the stated grounds for objection and rejection have been properly traversed, accommodated or rendered moot. Applicants, therefore, respectfully request that the Examiner reconsider all presently outstanding rejections and objections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Prompt and favourable consideration of this Amendment and Reply is respectfully requested.

With best regards,

/ Todd L. Juneau / 21 March 2007

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